

SECOND REGULAR SESSION

SENATE BILL NO. 912

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROWDEN.

Read 1st time January 16, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5852S.01I

AN ACT

To repeal section 173.1003, RSMo, and to enact in lieu thereof one new section relating to tuition at public higher education institutions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 173.1003, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.1003, to read as follows:

173.1003. 1. Beginning with the 2008-09 academic year, each approved public institution, as such term is defined in section 173.1102, shall submit its percentage change in the amount of tuition from the current academic year compared to the upcoming academic year to the coordinating board for higher education by July first preceding such academic year.

2. For institutions whose tuition is greater than the average tuition, the percentage change in tuition shall not exceed [the percentage change of] the consumer price index [or zero, whichever is greater] **plus ten percent**.

3. For institutions whose tuition is less than the average tuition, the dollar increase in tuition shall not exceed [the product of zero or the percentage change of] the consumer price index[, whichever is greater, times the average tuition] **plus ten percent**.

4. If a tuition increase exceeds the limits set forth in subsections 2 or 3 of this section, then the institution shall be subject to the provisions of subsection 5 of this section.

5. Any institution that exceeds the limits set forth in subsections 2 or 3 of this section shall remit to the board an amount equal to five percent of its current year state operating appropriation amount which shall be deposited into the general revenue fund [unless the institution appeals, within thirty days of such notice, to the commissioner of higher education for a waiver of this

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

21 provision. The commissioner, after meeting with appropriate representatives of
22 the institution, shall determine whether the institution's waiver request is
23 sufficiently warranted, in which case no fund remission shall occur. In making
24 this determination, the factors considered by the commissioner shall include but
25 not be limited to the relationship between state appropriations and the consumer
26 price index and any extraordinary circumstances. If the commissioner determines
27 that an institution's tuition percent increase is not sufficiently warranted and
28 declines the waiver request, the commissioner shall recommend to the full
29 coordinating board that the institution shall remit an amount up to five percent
30 of its current year state operating appropriation to the board, which shall deposit
31 the amount into the general revenue fund. The coordinating board shall have the
32 authority to make a binding and final decision, by means of a majority vote,
33 regarding the matter].

34 6. The provisions of subsections 2 to 5 of this section shall not apply to
35 any community college unless any such community college's tuition for any
36 Missouri resident is greater than or equal to the average tuition. If the
37 provisions of subsections 2 to 5 of this section apply to a community college,
38 subsections 2 to 5 of this section shall only apply to out-of-district Missouri
39 resident tuition.

40 7. For purposes of this section, the term "average tuition" shall be the sum
41 of the tuition amounts for the previous academic year for each approved public
42 institution that is not excluded under subsection 6 of this section, divided by the
43 number of such institutions. The term "consumer price index" shall mean the
44 Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not
45 seasonally adjusted, as defined and officially recorded by the United States
46 Department of Labor, or its successor agency, from January first of the current
47 year compared to January first of the preceding year. The term "state
48 appropriation" shall mean the state operating appropriation for the prior year per
49 full-time equivalent student for the prior year compared to state operating
50 appropriation for the current year per full-time equivalent student for the prior
51 year. The term "tuition" shall mean the amount of tuition and required fees,
52 excluding any fee established by the student body of the institution, charged to
53 a Missouri resident undergraduate enrolled in fifteen credit hours at the
54 institution.

55 8. Nothing in this section shall be construed to usurp or preclude the
56 ability of the governing board of an institution of higher education to establish
57 tuition or required fee rates.

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